

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
NORTHERN DIVISION**

**KENITH BURDETT,**

**Plaintiff,**

**v.**

**BANK ONE, N.A., et al.,**

**Defendants.**

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**CASE NO. 2:05-CV-499-DRB**

**MOTION FOR EXTENSION OF TIME**

Defendant JPMorgan Chase Bank, N.A., successor by merger to and incorrectly denominated in the complaint as Bank One, N.A. (“Chase”), moves the Court for a seven-day extension of time to respond to plaintiff’s Motion to Remand and Motion to Stay Enforcement of Federal Rules of Civil Procedure (“Motion to Stay”). As grounds for its motion, Chase states as follows:

1. The Court’s Order of June 14, 2005, directs the defendants to file a response to plaintiff’s Motion to Remand and Motion to Stay by no later than July 7, 2005.
2. Lead counsel for Chase, Helen Kathryn Downs, has been hospitalized with heart-related problems. At this point, it is not known how long Ms. Downs will be hospitalized.
3. As a consequence of Ms. Downs’ hospitalization, Chase will need additional time to respond to plaintiff’s Motion to Remand and Motion to Stay. Accordingly, Chase respectfully requests a seven-day extension of time to respond.
4. Chase has conferred with counsel for plaintiff, and has been advised that plaintiff does not object to the granting of a seven-day extension to Chase.

WHEREFORE, Chase moves the Court for a seven-day extension of time to respond to plaintiff's Motion to Remand and Motion to Stay, so that Chase's response will be due on or before July 14, 2005.

Date: July 1, 2005.

/s/ William D. Jones III  
William D. Jones III (JON016)  
Lee M. Pope (POP008)  
Helen Kathryn Downs (DOW019)

Attorneys for Defendant  
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**OF COUNSEL**

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 1st day of July, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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